

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
:
v. : 1:20CR318-1
:
DONALD CHRISTIAN MARTYN :
:

FACTUAL BASIS

NOW COME the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11(b)(3), Fed. R. Crim. P., states as follows:

Donald Christian Martyn (“Martyn”) was born on August 14, 19XX in Freetown, Sierra Leone and is a citizen of Sierra Leone. On or about June 5, 1992, Martyn’s parent, who at that time was a United States citizen, filed a petition for Alien Relative (Form I-130) with the United States Immigration and Naturalization Service (“INS”) on behalf of Martyn. INS approved the I-130 petition on August 13, 1992. On September 14, 1995, Martyn entered the United States as a legal permanent resident. His alien file reference number is XXX 754 268.

Martyn has never applied for nor petitioned for United States citizenship. Martyn knew he was not a United States citizen at all relevant times. Martyn, in fact, is not and never has been a United States citizen.

On August 7, 2012, in Durham County, North Carolina, Martyn registered to vote.

On or about November 5, 2016, in Durham County, North Carolina, Martyn voted in the November 2016 election at a so-called “Early Voting” site. The November 2016 election was held for the purpose of electing a candidate for the office of President, Vice President, Member of the United States Senate, and Member of the United States House of Representatives, among other positions on the ballot.

This the 4th day of December, 2020.

Respectfully submitted,

/s/ MATTHEW G.T. MARTIN
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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2020, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Milton Bays Shoaf, Attorney for Defendant

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